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PATENT

Attorney Docket 051530-5008

H6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Vernon L. Alvarez et al.**

Application No. **10/522,810**

International Filing Date: **June 2, 2003**

Date of Entry into U.S. National Stage: **January 31, 2005**

Examiner: **Not Assigned**

Art Unit: **1646**

For: **Treatment of Cell Proliferative Disorders With Chlorotoxin**

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.97(b)**

Pursuant to 37 C.F.R. 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449 forms. This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe that a fee is due with the filing of this paper.

Copies of the listed documents are attached. The present application is a U.S. National Phase Application of International Patent Application PCT/US03/17411 (filed June 2, 2003). Documents aa, ag, and aj were cited in the International Search Report which issued in International Patent Application PCT/US03/17411.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form. This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute prior art. If the Examiner applies any one of the documents as prior art against any claim in the application, and Applicants determine that the cited document does not constitute prior art under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by

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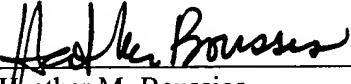
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this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: September 20, 2005  
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Respectfully submitted,  
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INFORMATION DISCLOSURE CITATION  (Use several sheets if necessary)  PTO Form 1449			Attorney Docket 051530-5008		Application No. 10/522,810		
			Applicants: Vernon L. ALVAREZ <i>et. al.</i>			Page 1 of 2	
			Date Entry into U.S.: January 31, 2005		Group Art Unit: 1646		
U.S. PATENT DOCUMENTS							
Initial		Document No.	Date	Name	Class	Sub-Class	Filing Date
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	ab	5,756,340	05/26/1998	Hammock <i>et al.</i>			
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	ak	WO 97/24619	07/10/1997	PCT			
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Examiner			Date Considered				
Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

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